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5 IN THE UNITED STATES DISTRICT COURT  
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7 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
8 SAN FRANCISCO DIVISION

9 J.J.,

NO. C 08-05376 JW

10 Plaintiff,

**ORDER VACATING PRELIMINARY  
PRETRIAL CONFERENCE**

11 v.

12 Oak Grove Sch. Dist., et al.,

Defendants.

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14 This case is scheduled for a Preliminary Pretrial Conference on June 25, 2012. The parties  
15 each submitted their own Pretrial Statement, and represent to the Court that they were not able to  
16 agree on a Joint Pretrial Statement.<sup>1</sup> In their Pretrial statement, Defendants represent that they  
17 anticipate filing dispositive motions on behalf of all Defendants. (Defendants' Statement at 7.) In  
18 light of these anticipated dispositive motions, the Court finds that a Pretrial Conference would be  
19 premature at this time. Accordingly, the Court VACATES the Conference. The Court will set a  
20 new Conference date in its Order addressing the anticipated motions. The schedule established in  
21 the Court's November 3, 2011 Scheduling Order for this case remains in effect. (See Docket Item  
22 No. 200.) Thus, any dispositive motions shall be file within the required deadline.

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28 <sup>1</sup> (See Joint Pretrial Conference Statement of Defendants, hereafter, "Defendants' Statement,"  
Docket Item No. 207; Plaintiff's Preliminary Pre-Trial Statement, Docket Item No. 208.)

1        In addition, the Court DENIES as premature Defendants' request that this case be transferred  
2 back to San Jose where it was originally filed.<sup>2</sup> In light of the Court's impending retirement,<sup>3</sup> this  
3 case will be reassigned in due course and Defendants may renew their motion for transfer before the  
4 presiding judge.

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6 Dated: June 20, 2012

  
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JAMES WARE  
United States District Chief Judge

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25       <sup>2</sup> (See Defendants' Statement at 8.)

26       <sup>3</sup> On April 28, 2012, Chief Judge Ware announced that he plans to "retire in August 2012 as the  
27 terms of his current law clerks come to an end." See Chief Judge Ware Announces Transition, available  
at <http://www.cand.uscourts.gov/news/82>.

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1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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Dated: June 20, 2012

Richard W. Wieking, Clerk

10 By: /s/ JW Chambers

11 Susan Imbriani  
Courtroom Deputy

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